

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF GEORGIA  
MACON DIVISION**

**CHRISTOPHER AMERSON,**

**Plaintiff,**

**v.**

**WARDEN SELLERS, *et al.*,**

**Defendants.**

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**CIVIL ACTION NO. 5:15-CV-8 (MTT)**

**ORDER**

Before the Court is the Order and Recommendation of Magistrate Judge Stephen Hyles. (Doc. 7). The Magistrate Judge recommends denying the Plaintiff's motion for a temporary restraining order ("TRO") (Doc. 4) because the Plaintiff has not shown a substantial likelihood of success on the merits or that a TRO is necessary to prevent an irreparable injury. *See Parker v. State Bd. of Pardons and Paroles*, 275 F.3d 1032, 1034-35 (11th Cir. 2001) (stating what movant must demonstrate for TRO or preliminary injunction). The Plaintiff has responded to the Magistrate Judge's Order and Recommendation. (Doc. 8). Though the response does not address the Magistrate Judge's reasons for denying the motion for a TRO and instead includes additional allegations of prison officials' conduct not referenced in his complaint, the Court treats it as an objection and has conducted a de novo review.<sup>1</sup>

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<sup>1</sup> In response to the Magistrate Judge's order to recast his complaint on a standard § 1983 form, the Plaintiff states he never received the form. However, the clerk has been directed to send the Plaintiff another copy of the form, and the Plaintiff has been given additional time to recast his complaint. See Text Only Entry, February 9, 2015.

The Court agrees the Plaintiff has failed to show either a substantial likelihood of success on the merits or that a TRO is necessary to prevent irreparable injury. Though his complaint contains conclusory allegations that his life is in danger and describes some fairly egregious past conduct by prison officials, he does not appear to attribute any of this conduct to the named defendants. It is not entirely apparent what claims he is attempting to assert against these officials, an issue which may be corrected by his recasting his complaint as the Magistrate Judge ordered.

The Court has reviewed the Recommendation, and the Court accepts and adopts the findings, conclusions, and recommendations of the Magistrate Judge. The Recommendation is **ADOPTED** and made the order of this Court. Accordingly, the Plaintiff's motion for a TRO (Doc. 4) is **DENIED**.

**SO ORDERED**, this 13th day of February, 2015.

S/ Marc T. Treadwell  
MARC T. TREADWELL, JUDGE  
UNITED STATES DISTRICT COURT